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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and
DOES NOS.1-50,

Defendants.

Civil Action No. 2:22-cv-09094-GW-MAR

**STIPULATION TO EXTEND TIME FOR
DEFENDANT SKYRYSE TO RESPOND
TO INITIAL COMPLAINT**

Complaint served: March 7, 2022
Current response date: December 29, 2022
New response date: January 30, 2023

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2 Plaintiff Moog Inc. and Defendants Skyryse, Inc., Robert Alin Pilkington, and Misook Kim
3 hereby stipulate and agree to the following:

4 WHEREAS, Moog filed the Complaint in the above-captioned action on March 7, 2022 in
5 the United States District Court for the Western District of New York (Dkt. 1);

6 WHEREAS, when responsive pleadings were due on March 29, 2022, Defendants filed
7 motions to dismiss for lack of personal jurisdiction or improper venue or, alternatively, to transfer
8 venue to the Central District of California (Dkts. 47, 48);

9 WHEREAS, Defendants Robert Alin Pilkington and Misook Kim filed a motion to dismiss
10 counts six, nine, and ten of the complaint for failure to state a claim upon which relief can be
11 granted on May 31, 2022 (Dkt. 131), and that motion remains pending;

12 WHEREAS, on December 15, 2022, the Honorable Lawrence J. Vilaro of the United
13 States District Court for the Western District of New York denied without prejudice Defendants'
14 motions to dismiss for lack of personal jurisdiction and improper venue and granted Defendants'
15 motions to transfer, and ordered that the case be transferred to this Court (Dkt. 297);

16 WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(4), Defendant Skyryse's
17 deadline to respond to the Complaint currently is December 29, 2022; and

18 WHEREAS, in light of the upcoming holidays, the Parties have agreed to stipulate pursuant
19 to Local Rule 8-3 to a thirty (30) day extension of time for Skyryse to file its response to the
20 Complaint;

21 NOW THEREFORE, subject to the Court's approval, the Parties stipulate and agree that
22 the deadline for Skyryse to respond to Plaintiff's Complaint is January 30, 2023.

23
24 **IT IS SO STIPULATED.**

25
26 Dated: December 23, 2022

1 SHEPPARD, MULLIN, RICHTER &
2 HAMPTON LLP

3 By: /s/ Kazim Naqvi
4 Counsel for Plaintiff Moog Inc.

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6 LATHAM & WATKINS LLP

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8 By: /s/ Gabriel S. Gross
9 Counsel for Defendant Skyrise, Inc.

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11 WINGET, SPADAFORA &
12 SCHWARTZBERG, LLP

13 By: /s/Alexander Truitt (pro hac vice pending)
14 Counsel for Defendant
15 Robert Alin Pilkington

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17 WINGET, SPADAFORA &
18 SCHWARTZBERG, LLP

19 By: /s/Alexander Truitt (pro hac vice pending)
20 Counsel for Defendant
21 Misook Kim

22 **ATTESTATION**

23 Pursuant to Civil Local Rule 5-4.3.4, I, Gabriel S. Gross, attest that concurrence in the
24 filing of this document has been obtained by all its signatories.

25 Dated: December 23, 2022

/s/ Gabriel S. Gross